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community.

WGAN also provides information to its listeners in times of crisis. During the month of April a powerful nor'easter brought high winds and heavy rains to our area, and thousands of customers lost electrical power, roads were flooded out, commerce was disrupted. WGAN's news team was on the air throughout the storm providing listeners updates on weather conditions, power outages, listings and closings, cancellations, traffic, and more.

It's our philosophy that the success of WGAN is rooted --

MR. ENSSLIN: Jeff, your time is up.

MR. WADE: Thank you.

(Audience applause.)

MR. ENSSLIN: Ann Gagne?

MS. GAGNE: Hi. My name is Ann Gagne, and I'm not from away. I'm a fourth generation Main'ah. My parents both worked and belonged to strong labor unions. I was the only one in my immediate family to graduate from college: The University of Southern Maine in Portland. I am the station manager for the licensee of Fox 232, WPFO-TV, minority owned CMCG Portland license out of Toledo, Ohio. Yes, that's where the owners are based, but myself and 24 other employees that work here at the

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station in downtown Portland, we are local. We spend our paychecks here, and we care about what happens here.

I have been in broadcasting for almost 20 years. I've been a business manager, a general manager, and now I am a business and station manager. And because of broadcasting, I have personally participated in the following: The American Cancer Society's Relay for Life, local Red Cross blood drives, American Diabetes Association Tour The Cure 50 miles, Toys for Tots, local chamber of commerce festivals, and many, many others that slip my mind.

I have manned phones for live local call-in shows, worn costumes at festivals in 90 degree heat, spoken at schools, and been threatened and sworn at because someone's favorite regularly scheduled program was preempted. We have hosted and aired local political debates and forums. We air the Fox Morning News, a local call-in talk show, and disbursed with other news, weather, medical and health information.

We air Youth In Politics, produced by a local youth production company. We carry UMaine hockey games. We award an annual scholarship to a Maine resident. We host a safety day. We delivered \$250,000 of air time to local nonprofits last year. We are not run by the

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owners in Ohio. We are run by the local people working in the building just down the street from here, and all of our viewers.

MR. ENSSLIN: Thank you, Ann.

Pete McAleney? Is Pete here?

Doug Finck.

MR. FINCK: Thank you very much for coming to Portland to see us today. My name is Doug Finck, and I'm the manager of two TV stations here in Portland, WPXT, which is an affiliate of the CW Network; and also WPME, which is an affiliate My Network TV.

I've lived in Maine for just under 35 years, and I've worked in radio and TV here for almost that entire time. We are not the top rated station in Portland, so we've had to find a niche that is of value to our viewers and to our advertisers. For us, that niche is localism, and having two stations in the same market allows us to execute on that localism, on that strategy, effectively and efficiently. We produce original TV programs and profile local experts in Maine that spotlight places to visit, things to do in Maine, where to shop in Maine, and every day we broadcast hours of these local programs.

I'd like to give you a little bit of an overview of a couple of the specific programs. First is the Hot

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Squad, which is a home makeover program created to show Mainers how to insulate their homes, save money and conserve energy. Last year we selected a family of six in a rural town in Oxford County. Insulation was added to their home, new heating system, windows, and siding was installed. Both the labor and materials were donated by our sponsors. The family received a \$50,000 home makeover. Our sponsors were pleased, and we had an interesting, high-profile locally produced program.

The second example is something that was talked about earlier by one of the panelists, Kick Start, which is a TV game show designed to encourage 8th grade students in Maine to attend college. The show combines mental and physical challenges in a fun format, and at the end of the series one student is awarded a \$10,000 college scholarship.

And finally, My Tunes is a new TV program that we are putting together right now and debuts in July. Working with our partners at Citadel, WCYY radio, and also with the local website, PortlandMaine.TV, we are creating a 30 minute TV program that will feature local bands playing their original music. So for us localism is not an afterthought, it is our focus. It is our brand. It is what differentiates us from the hundreds of cable stations out there. And you know what else?

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It's fun and it's profitable.

MR. ENSSLIN: Thank you, Doug.

At this time, at this mike I would like to call the next 10 names. Jim Bouchard, Adam MacDonald, Elliot Pitts, Jim Tozzi, Stephanie Bouffard, Brian Hiatt, Thomas Peaco, Justin Alford, Nate Brimmer, and Willie Rich. Those 10 here at this microphone phone.

And do we have David Butta? David, you have two minutes.

MR. BUTTA: Good evening. Thank you very much. My name is David Butta. I am the creative services director for WMTW-TV Channel 8, serving the Portland/Auburn market. Part of my responsibilities at the station include community relations. I am proud to say that since Hurst Argyle television purchased WMTW three years ago, we have made community involvement a top priority. To that end, we have supported many initiatives within our broadcast area that benefit a wide range of people.

Every year we support the nonprofit organizations in Yarmouth to raise money for the annual Clam Festival and help all of Maine's children through Winter Kids and their fight against childhood obesity. We have used the resources of our station to spotlight the Make A Wish dreams of sick children and to help raise awareness in

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the fight against breast cancer. We have honored the local heroes of Portland and Lewiston/Auburn by gathering -- by partnering with the Red Cross in annual celebrations in both communities.

As part of our community commitment, we have continued a 10 year tradition of an annual scholarship granted to a deserving high school student in our broadcast area that honors the memory of Bob Elliott, a local journalist and WMTW news reporter.

I am also proud to point out that the parent company of WMTW, Hurst Argyle Television, encourages the local participation of all of our 29 television stations, including WMUR in Manchester. As a result, several of our sister stations have won the prestigious Spirit of Service Award in recent years. In my 12 years with Hurst Argyle I have never been directed or influenced by the upper management in regards to our local station's community involvement.

We are committed to continuing our commitment to these areas we serve, and to increasing our opportunities in the future.

Thank you for your time.

(Audience applause.)

MR. ENSSLIN: Thank you, David. And at this time, I'd also like to call the next five people to stand over

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by this microphone, who are Randy Zisser, George Matz, Tory Ryden, Emily Sapienza, and Zoe Armstrong.

And over by this microphone is David Bunker?

MR. BUNKER: Yes. Thank you.

MR. ENSSLIN: David, you have two minutes.

MR. BUNKER: Good evening, Commissioners. Thank you for coming to Maine.

My name is Dave Bunker and I am the program director of WMPG Community Radio here in Portland, licensed to the University of Southern Maine. I am here to testify that there are hundreds of people who want to make truly local radio in Portland, our volunteers; and thousands of people who want to hear truly local radio, our listeners.

WMPG's on-air volunteers are male and female, young and old, liberal and conservative, gay and straight. They come from many nations, ethnicities, and faiths. They speak half a dozen different languages besides English on our air every week. WMPG's listeners donate faithfully at fundraising time and thank us again and again for providing one of the very few broadcast media outlets in Portland, all of them noncommercial for a diverse range of voices which have been marginalized because, presumably, they don't sell advertising to the most lucrative demographic bracket.

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With our paltry 1100 watt Maine signal and 50 watt translator, we provide far more media access for these voices measured in hours of programming and diversity of voices heard than any of our commercial colleagues. U.S. media ownership landscape -- the U.S. ownership media landscape is already appalling monolithic. The 2003 rules changes, if enacted, will make it even worse.

I not only urge you to reverse the 2003 rule changes, I urge you to move farther in the opposite direction. As WMPG strives unceasingly to provide a media platform for the many marginalized voices of Portland, in short, as we strive to provide truly local radio, I, for one, would celebrate the day that changes in FCC policy empowered anyone to offer us some viable competition, commercial or noncommercial, in this crucial community endeavor.

Thank you for your attention.

(Audience applause.)

MR. ENSSLIN: Thank you, David.

Suzanne? Suzanne Olson, you have two minutes.

MS. OLSON: I'm Suzanne Olson, Executive Director of The Children's Museum of Maine. I am not a broadcaster. I clearly don't have a broadcaster's voice. I wish I did. What I'd like to do tonight is talk to you a little bit about some special work that I

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believe broadcasters do in this area.

About three years ago The Children's Museum of Maine decided we needed to endeavor in something very bold, and that was to create an exhibit that would represent the very diverse communities that have become part of Maine: The We Are Maine exhibit. We wrote a Federal grant, we received that grant, and a centerpiece of the work was for us to identify, to meet and work with 20 children and their families to talk about their celebrations and their lives from their countries of origin. Some of these families came to Maine a hundred years ago with the potato famine in Ireland, some came from Sudan six months ago.

We were very excited when we received word we received the grant, and it was like, oh, my gosh, how are we going to do this because we are not video people, we are children people. So what our logical first step was, was to call our neighbors across the street, WCSH 6, our NBC affiliate, and ask Steve Thaxton, the general manager, to come over and walk across the street and talk to us, which he did then, and has done many times since.

We asked for help in creating these cameo pieces on each of these families. And what this meant was developing a relationship with a family, inviting

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ourselves into their homes, and filming them telling us unscripted what they wanted us to know and what they wanted Maine to know about their families. This included their religious practices, their family -- different family makeups, their challenges, all through the eyes and voices of children.

WCSH first said to us oh, this is a huge undertaking. Do you really think you can do this? We said, well, we thought we could, but now we're not sure. So what they did from the very beginning, and I think what many other broadcasters would have done had we asked, was they provided us with first rate production services. We worked with their producer who really worked --

MR. ENSSLIN: Suzanne, I'm sorry, your time is up.

MS. OLSON: Oh, I'm sorry, too. Thank you.

(Audience applause.)

MR. ENSSLIN: Jacqueline Mitchell? Is Jacqueline Mitchell here?

Ellen Russell?

Ken Bauder. Okay, Ken, you have two minutes.

MR. BAUDER: Thank you. Good evening. I'm Ken Bauder, President and General Manager of WMTW-TV, a local television station serving the Portland/Auburn television market. WMTW is one of 29 Hurst Argyle

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television stations serving markets ranging in size from Boston to Salinas, California. Hurst Argyle purchased WMTW from a Philadelphia cable company in July of 2004. Since purchasing the station, we have added five more hours of local news every week, launched a website that provides constantly updated sources of local news, weather, and, in fact, tonight's proceedings are being streamed live on our website, produced Maine's first live broadcast and webcast debate between the candidates for governor prior to the 2006 election, and is part of Hurst Argyle's commitment 2006. We are at a minimum of 10 minutes a day of candidate centered political coverage in the four weeks preceding both the primary and general elections.

Hurst Argyle has won four consecutive Walter Cronkite Awards for group political coverage. We're already working on commitment 2008 with our stations in New Hampshire and Iowa, producing interviews and special programs on the presidential primary and caucuses and making them available to our station group.

We purchased a second satellite news gathering truck to improve and expand our coverage of local news, and we are about to launch a 24/7 digital channel that will provide local news, weather, and sports. We've partnered with numerous civic and charitable

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organizations to help raise funds and increase the awareness of the issues that concern the public we are licensed to serve.

For example, last year, in partnership with Central Maine Power, 5800 mittens, scarves, and hats were donated to needy school children in the area; and in partnership with the Red Cross, we raised funds for York County flood victims. We are committed to operate WMTW in the public interest, convenience, and necessity.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Ken.

I'd like to call, at this time, five more people for this side. Barry Pretzel, Cathy McGuinness, Susan Rowan, Kristi Levesque, and David Schwartz.

And now the next speaker on this side is Jim Bouchard.

MR. BOUCHARD: Thank you. My name is Jim Bouchard, and I'm the development director for the Maine Children's Cancer Program. It's my job to maximize funds raised and enhance community awareness for our program, ensuring that we are able to provide the very best to Maine's children and their families.

I cannot stress enough the importance of the relationship that has been fostered over the last nine

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years between our organization and the local media. Their support cannot be overstated. It is because of their ties throughout Maine's communities that we -- that they have helped our organization not only increase fundraising by 50 percent, but also has ensured the more important aspect of fundraising; that of increasing community awareness.

We as an organization are challenged everyday to raise the funds necessary and create awareness to support our programs. Our friends at WMTW, ABC 8, as well as WPOR, WHOM, WMGX and the rest of the TV stations, provide us with the vehicles we need to educate, tell stories, and challenge the members of our community to support our cause.

We as an organization -- as an organization, we serve the entire state. We are blessed to have the resources of the local TV and radio: From public service announcements to news stories, from the online links to media personalities joining us to helping our efforts. We are successful because our local media cares about our community and truly wants to make a difference.

Over the last nine years, I've had the opportunity to work and get to know many of the local on-air talent, as well as the media leadership, and I can say firsthand

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that they are part of our community; that they do care for our community, our organization and are constantly looking for new and inventive ways to support the children of Maine.

In closing, the goal of Maine Children's Cancer Program is a simple one: Find a cure for childhood cancer while providing the very best medical care and treatment possible. As a voter, a community leader, a family member, a father --

MR. ENSSLIN: Thank you, Jim. Your time is up.

MR. BOUCHARD: Thank you.

(Audience applause.)

MR. ENSSLIN: Adam MacDonald. Is Adam MacDonald here?

Elliot Pitts? Elliott?

MS. PITTS: Hi.

MR. ENSSLIN: Is that a family name?

MS. PITTS: That is a family name.

Hi, I'm Elliott Pitts. I work at the Barbara Bush Children's Hospital where I run a program called The Children's Miracle Network which is charged with raising funds and awareness for the children's hospital.

I believe that, like the children's hospital, the media in Portland is truly working hard to serve the local community. I know this because the hospital has

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had the good fortune to partner with local media stations on numerous occasions. These partnerships help the hospital and the community. Many thanks to all the stations we've worked with. I only have time to talk about two. I'm very sorry to all of you.

In March, 107.5, Frank FM hosted their second annual Frank Cares For Kids radiothon. WGME 13 just put on air the 18th Annual Children's Miracle Network telethon. Incidentally, the Children's Miracle Network is comprised of 170 children's hospitals that work with probably 500 television and radio stations across the country to do a similar thing.

Together, these two stations donated over 47 hours of air time to these two events and inspired more than 2,000 donors to support the children's hospital. Additionally, the stations educated their audiences on ways to avoid common injuries and accidents by providing lessons about bike helmets, car seats, water safety, et cetera.

These events would not have been successful if these stations, and their personalities, were not truly rooted in the community. The community chooses to support the hospital because they believe, they trust, they know that their favorite station, whatever station that might be, really cares and is really working hard

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for the community and its people.

And why is all of this important? Why is the hospital thankful for the strong support of our media? A nine-year-old cancer patient said it best. When a local DJ asked Joshua why do you think people should support the Barbara Bush Children's Hospital? Joshua thought for a minute, and he said, because there are kids here and they want to go home. By helping children get home and stay home, I believe that local media is truly meeting the needs of the communities.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Elliott.

Jim Tozzi? You have two minutes.

MR. TOZZI: Thank you, sir. Good evening, distinguished members of the Commission and citizens of Portland. I'm Jim Tozzi. I'm with the Center for Regulatory Effectiveness. We are a watchdog group, and part of our job is to watch the actions of regulatory agencies, such as the FCC. And in this capacity we were very, very interested in press reports regarding the study on localism, and the name of the study was Do Local Owners Deliver More Localism; Some Evidence From Broadcast News.

The reason we're interested in this particular

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study is that it is reported in the press, and in commenters to the agency, as a very influential study -- or potentially influential study. We think the localism debate should be data driven, and, to this extent, this report that I'm talking about explains -- examined the relationship between localism and the amount of news covered -- local news covered.

Now, by law, the FCC cannot adopt that study unless it meets the requirements of the recently-passed Data Quality Act. In a nutshell, the Data Quality Act says that there are certain standards that data must meet. If they're not met, the agency or FCC can't use it. The FCC has guidelines on it. They were very vented. The FCC did a very good job. We analyzed this study, and we'd like to report to you that the study does not meet, in our opinion, the requirements of the Data Quality Act. The FCC cannot -- should not use it.

We filed a petition with the FCC, which is under review, and they responded, and they're looking at it, and we'd like to call this to your attention. We appreciate the opportunity to make this public.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Jim.

Stephanie Bouffard. Stephanie? Stephan?

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Brian Hiatt? Brian, you have two minutes.

MR. HIATT: Thank you, Commissioners. My name is Brian Hiatt. I'm the Maine Director of Communications for the League of Young Voters, a nonpartisan organization working to make politics accessible, positive and relevant to the lives of young people.

Just like it's your job to regulate the broadcast spectrum and keep it in the public interest, it is my job to place stories in Portland's local media market. And because the best policy decisions are based neither on fiery rhetoric or warm and fuzzy stories, I'm here today to share with you data on how we're both doing on our jobs. More precisely, to share with you how regulations on ownership and localism effect nonprofit organizations whose issues fall outside of the narrow self-defined interests -- public interests as defined by broadcasters --

(Audience applause.)

-- issues that might include media reform.

The official press release for tonight's hearing stated that along with competition and diversity, promoting localism is a key goal of the Commission's media ownership rules. Here's how you're doing on the ground here in Portland.

We have zero locally owned and operated full-power

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commercial television stations. Zero TV stations that broadcast in Portland are owned by racial or ethnic minorities. There are three national conglomerates that own 62 percent of the commercial radio stations in Portland, and zero of our commercial radio stations are owned by women or people of color. Lastly, four companies control 86 percent of Portland's media market. That is not diverse, it is not competitive, and it is certainly not localism.

(Audience applause.)

The blatant discrepancy between your stated goal and the reality begs one question: Do you take your goals seriously? Do you? I do. This year the League has earned coverage 59 times in the traditional media outlets of radio, television and print. 73 percent of these press hits have been in either locally owned and regionally owned media outlets. We rely on local media to cover our local nonprofit that works on local politics. It's pure localism, with each entity being interdependent upon one another --

MR. ENSSLIN: Brian, your time is.

MR. HIATT: -- to carry out its job.

Thank you.

(Audience applause.)

MR. ENSSLIN: The next five people I would like to

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call to this microphone are Matthew Killmeier, David Wade, Jim Rand, Bryan Reeves, and David Barber-Callaghan, which that gets up through number 73.

And the next speaker on this side is Thomas Peaco. Thomas, are you here? Thomas had to leave.

Justin Alford? Justin had to leave.

Nate Brimmer. Nate, you have two minutes.

MR. BRIMMER: Nate Brimmer, citizen of Portland, Maine. Listening to public comments earlier today, comments made almost entirely by media conglomerate insiders --

(Audience applause.)

-- and donees, I was forced to wonder how people are defining localism. To me, localism means more than just devoting a percentage of air time to local interest stories. Rather, a real commitment to localism involves the media addressing real issues that affect the lives of local people.

We have heard people speak tonight about the good jobs stations have done in informing the public about charity and public health campaigns. My primary concern is that the real issues affecting people's lives are much deeper than feel-good stories and education about (inaudible) --

(Audience applause.)

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I feel strongly that local citizens' quality of life is unlikely to improve substantially until we, as a society, face the root causes of our problems. Not how do we better diagnose breast cancer, but why has a breast cancer epidemic exploded in recent decades.

(Audience applause.)

Not how do we limit the pain of homelessness, but why are people homeless, hungry and sick among unprecedented plenty. Without media committed to localism, these deep issues are never realized and substantial improvement in the quality of life are unlikely.

To me, localism means nothing less than empowering local people to make local decisions and take local action on local issues. By this definition, localism is antithetical to corporate media conglomerates.

To be perfectly clear, local media promotes best by involving local people and challenging conversations that affect their lives. In contrast, corporate media's requirement for year-on-year profit growth demands homogeneity, public ignorance, and explicit support for the status quo. Please support local control and local media involvement in Maine and the rest of U.S.

WMPG.org, 90.9 and 104.1 FM. Thank you for your time.

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(Audience applause.)

MR. ENSSLIN: Thank you, Nate.

Willie Rich? Willie, you have two minutes.

MR. RICH: Thanks. My name is Willie Rich, and I've worked in radio in Maine for all my adult life. I just want to say congratulations to a lot of people who have turned out here tonight. You know, the big media companies have a lot of power and a lot of influence in Washington, the kind of power and influence that \$615 million in lobbying over five years, our estimate. I think it's great that people have turned out to remind the FCC that there is another side to the story. So congratulations to you guys.

(Audience applause.)

AUDIENCE MEMBER: That's right.

MR. RICH: You know, I turned on the local radio station the other day and heard a syndicated talk show host who was in the middle of an anti-immigration tirade. And he said immigration is the single most important issue that our country has ever faced. And I realized that if you stopped somebody on the street here in Maine and asked them what is the most important issue that we face, they won't say immigration. They might say the war. They might say healthcare. They might say the price of gas. But that's the way that the broadcast

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media is not serving the local interest.

These are not the things that people here in Maine, or in other parts the country necessarily, care about. We're not a country or a state of conservatives, which is what we hear on the radio. We're conservatives and we're liberals and we're moderates --

(Audience applause.)

-- and for some reason those other voices are not being represented as often as they should be on the radio.

You know, my last radio job I had a program in which I was the only program on the radio station that did not have a conservative host, and the comment that I heard most often when I met with listeners, and was most gratified to hear, was when people would come up and say, you know, Willie, I don't agree with a thing you say, but it's good to hear you say it.

The public can take a variety of viewpoints. They're intelligent, they're capable of independent thought, and far too often they're not given that opportunity to hear divergent viewpoints on the radio and on TV.

MR. ENSSLIN: Thank you, Willie.

The next names I'd like to call on this side to come down and stand in line behind these folks are Jim Schaufenbil --

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MR. SCHAUFENBIL: Close enough.

MR. ENSSLIN: Jim, come on down. C.J. Betit, Steve Hirschon, Carl Rawstron, Sally Hebert and Susan Cook on this side.

And then we're going to start here to hear next from Randy Zisser.

MR. VISSER: That's actually Visser, with a V.

MR. ENSSLIN: Visser.

MR. VISSER: Yeah. A good Dutch name.

MR. ENSSLIN: Thank you. Randy, you have two minutes.

MR. VISSER: Thank you. Welcome to Maine, Commissioners. It's really nice to see faces behind this idea of a commission sitting in Washington. It's a real honor to address you folks.

I'm here as a citizen who understands the power of the broadcast media. I've worked in it for a number of years. I teach at the local community college in the Communications Department. We talk about this a lot, and it seems to me you have a really difficult job. On the one hand you have -- you have to regulate one of the most powerful and influential segments of our society, the broadcast industry. And as you've heard tonight, they obviously do provide a lot of services to our community. But in the end, I think that ultimately it's

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about the bottom line, and I think we all know that.

On the other hand, there's a growing segment of our society that feels that their voices are not being represented in the media, in the broadcast industry in particular; and that this market-driven approach to programming decisions left to corporate executives who need to turn a profit is wrong, and that we have to start changing this.

How do we fix this problem? How are you folks going to address this problem? I know it's a very complex problem, but I think it really also comes down to one simple fact: That we the people, own these airwaves.

AUDIENCE MEMBER: That's right.

(Audience applause.)

MR. VISSER: And that obviously the broadcasters have an obligation to provide programming that will strengthen our communities. I have three suggestions: First, do not encourage further consolidation of ownership of the media. It's the wrong way to go. It's the wrong thing to do.

Secondly, the Fairness Doctrine worked. It wasn't always fun, but it did work. Bring it back, and let's see if we can get some more local programming from community producers into the broadcast airwaves.